IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.K.MOHANAN

MONDAY, THE 24TH DECEMBER 2007 / 3RD POUSHA 1929

Bail Appl..No. 8008 of 2007()

CC.92/2005 of J.M.F.C.-III,PALAKKAD
CRIME NO.57/2003 OF PALAKKAD TOWN SOUTH POLICE STATION.

PETITIONER/ ACCUSED:

P.B.STEPHEN, S/O.BENCHAMI,
PANACKAL HOUSE, THAICKAL P.O., CHERTHALA.

BY ADV. SRI.C.K.SAJEEV

RESPONDENTS: RESPONDENT:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.K.MOHANAN, J.

Bail Application No. 8008 of 2007

Dated this the 24th day of December, 2007

O R D E R

In this application filed under Sec. 438 Cr.P.C. the petitioner, who is the sole accused in Crime No. 57/2003 of the Palakkad Town South Police Station for offences punishable under sections 363 read with section 379 of IPC, seeks anticipatory Bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case involving such grave offence. It is too early to accept the petitioner's contention that the petitioner has been falsely implicated. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, the application is disposed of directing that If the petitioner surrenders before the Magistrate concerned within two weeks from today and files an application for regular bail, the same shall be considered and disposed of by the Magistrate preferably on the same day on which it is filed bearing in mind the decision in **Sukumari v. State of Kerala - 2001 (1) KLT 22.**

V.K.MOHANAN, JUDGE.

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